Government would examine the report of the Commission as and when the same is received.

Statement

List of Consultation Papers released by the National Commission to Review the Working of the Constitution

1. All India Judicial Service
2. Immunity of Legislators—What do the words 'in respect of anything said or any vote given by him' in article 105(2) signify?
3. Treaty-making power under the Constitution
4. Liability of the State in Tort and Sovereign immunity
5. Review of the Working of the Political Parties specially in relation to Elections and Reform Options
6. Review of Election Law, Processes and Reform Options
7. Efficacy of Public Audit System in India: C&AG-Reforming the Institution
8. Pace of Socio-Economic Changes under the Constitution
9. The Institution of Governor under the Constitution
10. Article 356 of the Constitution
11. Enlargement of Fundamental Rights
12. Constitutional Mechanisms for Settlement of Inter-State Disputes
13. Effectuation of Fundamental Duties

Seminar on Working of Judicial system at Shimla

2970. SHRI C. RAMACHANDRAIAH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether in the last week of June, 2001, he inaugurated and addressed a seminar at Shimla on "Working of judicial system in the post-independence era and challenges before it', organized by Bar Council of India;

(b) if so, the details of participants, subject-discussed and recommendations made at the seminar; and

(c) the reaction of Government thereto particularly with regard to bringing down litigation and appointment of National Judicial Commission?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) Yes, Sir

(b) About 14 members of Bar Council of India and about 20 representatives of the State Bar Council were present in the above Seminar. Besides, 200 to 300 lawyers practising in the High Court and other Courts in Shimla attended the Seminar.

The subject, "Working of the judicial system in the post-independence era and challenges before it" was divided into 5 sub topics viz. Judicial activism, Judicial accountability, Quest for an independent forum for the choice of judges, Perception of public regarding the functioning of the legal system and Environmental and human rights. No specific recommendations were made.

(c) Does not arise as specific recommendations were not made.

Amendment in Advocates Act

2971. SHRI C. O. POULOSE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Bar Council of India (BCI) is opposed to amend the Advocates Act to permit foreign law firms and legal consultants to practise in India;

(b) whether BCI has urged Government to take immediate steps for the setting up of the National Judicial Academy for recruiting Judges and also for an All-india Judicial Service;

(c) if so, the reaction of Government thereto; and

(d) the steps being taken on both the issues?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) The Bar Council of India is opposed to any amendment in the Advocates Act, 1961, to permit foreign law firms and legal consultants to practise in India.

(b) to (d) The Bar Council of India has made a suggestion to the Government for setting up of a National Judicial Commission for recruitment of judges, not for National Judicial Academy/All-India Judicial Service. However, in the light of the recommendations of the Law Commission of India, the Supreme Court of India (in All-India Judges' Association v/s Union of India (W.P. No. 1022 of 89) and the First National Judicial Pay Commission (FNJPC), in consultation with the State Governments and the Hight Courts, the matter relating to creation of an All-India Judicial Service is under consideration of the Government.